
UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

LEE ABT, ESQUIRE

Princeton Place
3747 Church Road, Suite 102
Mt. Laurel, New Jersey 08054
(856) 914-5100
ATTORNEY FOR DEBTOR
(LA 5525)

In re:

EDELMIRA I. MARTE-DELEON,

Debtor.

Case No. 20-17329-JNP

Judge: Jerrold N. Poslusny, Jr.

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

XXX CREDITOR'S MOTION or CERTIFICATION OF DEFAULT

____ TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT

The debtor in the above-captioned Chapter 13 proceeding hereby object to the following (choose one):

1. **XXX** Motion for Relief from the Automatic Stay filed by MidFirst Bank, creditor ["MidFirst"]. A hearing has been scheduled for 9/13/22 at 11:00 AM.

OR

____ Motion to Dismiss filed by the Standing Chapter 13 Trustee.

A hearing has been scheduled for ____ at ____ AM.

____ Certification of Default filed by _____, creditor.

I am requesting a hearing be scheduled on this matter.

____ Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled on this matter.

2. I am objecting to the above for the following reasons:

_____ Payments have been made in the amount of \$ _____, but

have not been accounted for. Documentation in support is attached hereto.

XXX Payments have not been made for the following reasons and debtor proposes repayment as follows (explain your answer): **I acknowledge that I am behind on my post-petition mortgage payments to this creditor. I have had unexpected expenses arise. However, going forward I will be able to make payments to MidFirst on this mortgage loan. My regular monthly payment on this loan is presently \$783.76 per month. At present the post-bankruptcy arrears were \$9,900.76 through August 2022 as stated in the certification attached to the relief motion. In addition, the September 2022 payment is now due, adding another \$783.76 and making post-petition arrears through September 2022 \$10,684.52. I respectfully propose to resolve these arrears by paying MidFirst these post-bankruptcy arrears of \$10,684.52 over a 12-month period starting with the October 2022 payment and continuing through September 2023 in addition to making the regular monthly mortgage payments of \$783.76 for each of those months of 10/22 through 9/23. This would add \$890.38 to each monthly payment for the months of 10/22 through 9/23 for a total monthly payment of \$1,674.14 for those 12 months. My mortgage payment would then return to the regular monthly payment starting in 10/23. I will be able to make these increased payments. I remain highly motivated to successfully maintain my mortgage payments and my trustee payments under my plan. I also ask that the creditor's standard fees and costs for this motion be put into my Chapter 13 plan.**

_____ Other (explain your answer): N/A

3. This certification is being made in an effort to resolve the issues raised by the creditor or trustee.

4. I certify under penalty of perjury that the foregoing is true and correct.

/s/ Edelmira I. Marte-DeLeon

Date: 9/6/22

EDELMIRA I. MARTE-DELEON, DEBTOR

Note:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within 14 days of the filing of a *Creditor's Certification of Default (under an Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions)* or a *Trustee's Certification of Default*.

If this form is not filed the Motion of Certification of Default will be deemed uncontested and no hearing will be scheduled.